



AMENDMENT TRANSMITTAL LETTER

Docket No.
06005/35500

Application No.
09/408,028

Filing Date
September 29, 1999

Examiner
Hieu C. Le

Art Unit
2153

Applicant(s): Brent H. Larson, et al.

Invention: DOWNLOADABLE CODE IN A DISTRIBUTED PROCESS CONTROL SYSTEM

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application

The fee has been calculated and is transmitted as shown below.

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CLAIMS AS AMENDED

| | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | |
|--------------------------------------------------------------------------|-------------------------------------------|-----------------------------------------|-----------------------------------|------|---------------|
| Total Claims | 36 | - 36 = | | x | 0.00 |
| Independent Claims | 5 | - 5 = | | x | 0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): Extension for response within second month | | | | | 400.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | 400.00 |

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☒ Large Entity

☐ Small Entity

☐ No additional fee is required for this amendment.

☐ Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.

☒ A check in the amount of \$ 400.00 to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 13-2855
as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Scott E. Baxendale

Dated: October 23, 2002

Scott E. Baxendale
Attorney Reg. No.: 41,605

MARSHALL, GERSTEIN & BORUN
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: October 23, 2002

Signature: *Scott E. Baxendale* (Scott E. Baxendale)



FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 400.00

Complete if Known

| | |
|----------------------|------------------------|
| Application Number | 09/408,028 |
| Filing Date | September 29, 1999 |
| First Named Inventor | Brent H. Larson et al. |
| Examiner Name | Hieu C. Le |
| Group Art Unit | 2153 |
| Attorney Docket No. | 06005/35500 |

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account

Deposit Account Number

13-2855

Deposit Account Name

MARSHALL, GERSTEIN & BORUN

The Commissioner is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|------------------------|----------|
| 1001 | 740 | 2001 | 370 | Utility filing fee | |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 510 | 2003 | 255 | Plant filing fee | |
| 1004 | 740 | 2004 | 370 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------|----------------|----------|
| 36 | -36** = | | 0.00 |
| 5 | -5** = | | 0.00 |

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description |
|----------|----------|----------|----------|------------------------------------------------------------|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid |
| 1204 | 84 | 2204 | 42 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|----------------------------------------------------------------------------|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | .25 | Surcharge - late provisional filing fee or cover sheet. | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 400 | 2252 | 200 | Extension for reply within second month | 400.00 |
| 1253 | 920 | 2253 | 460 | Extension for reply within third month | |
| 1254 | 1,440 | 2254 | 720 | Extension for reply within fourth month | |
| 1255 | 1,960 | 2255 | 980 | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 160 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,280 | 2453 | 640 | Petition to revive - unintentional | |
| 1501 | 1,280 | 2501 | 640 | Utility issue fee (or reissue) | |
| 1502 | 460 | 2502 | 230 | Design issue fee | |
| 1503 | 620 | 2503 | 310 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 740 | 2809 | 370 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 740 | 2810 | 370 | For each additional invention to be examined (37CFR 1.129(b)) | |
| 1801 | 740 | 2801 | 370 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 400.00

SUBMITTED BY

Name (Print/Type) Scott E. Baxendale

Registration No. (Attorney/Agent)

41,605

Complete (if applicable)

Telephone (312) 474-9564

Signature

Scott E. Baxendale

Date

October 23, 2002

Certificate of Mailing Under 37 CFR 1.8

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Washington, DC 20231

on October 23, 2002
Date

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Scott E. Baxendale
Signature

Scott E. Baxendale

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal

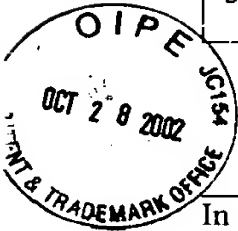
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Dated: October 23, 2002

Signature:

Scott E. Baxendale
(Scott E. Baxendale)

#8/a
12-31-02
Docket No.: 06005/35500
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Larson et al.

Application No.: 09/408,028

Group Art Unit: 2153

Filed: September 29, 1999

Examiner: Hiep Le

For: DOWNLOADABLE CODE IN A
DISTRIBUTED PROCESS CONTROL
SYSTEM

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OCT 30 2002

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AMENDMENT IN RESPONSE TO THE OFFICE ACTION
DATED MAY 23, 2002

Commissioner of Patents
Washington, D.C. 20231

Sir:

This amendment is being submitted in response to the Office action dated May 23, 2002. Applicants hereby request a two-month extension of time to respond to the Office action. This response is therefore timely filed within the extended period of response. This amendment is accompanied by a Petition for a Two-Month Extension of Time and a check in the amount of \$400.00 for the requisite petition fee. Applicants respectfully request reconsideration of the application in view of the following amendments and remarks. A marked up version of the amendments made to the claims are provided as an appendix hereto entitled "Marked-Up Version of Claims Showing Changes Being Made."

Please amend the above-identified application as follows: